IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 319 OF 2002.

PETITIONER : Bhanu Prasad Otavi, S/o Shri Madhav Prasad Otavi, aged about 31 years, Sarpanch, Gram Panchayat, Chana-Dongri, Janpad Panchayat, Marwahi, District Bilaspur,(C.G.).

P.R. No. 322/02
Presented by Shri Rajesh Pandey
dated 08/2/02

V E R S U S

RESPONDENTS :

1. The Additional Collector, Pendra Road, District, Bilaspur,(C.G.).

2. Sub Divisional Officer, Pendra Road, District, Bilaspur,(C.G.).

3. ~~Janpad Panchayat, Marwahi, Through : The Chief Executive Officer, Tahsil Pendra Road, District Bilaspur,(C.G.).~~

the respondent's no. 3 & 4 are deleted by the order of passed by this Hon'ble court on 11.2.02

4. ~~Gram Panchayat, Chana-Dongri Through: The Secretary, Janpad Panchayat, Marwahi, Tahsil Pendra Road, District Bilaspur,(C.G.).~~ deleted

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8/2/02
CLERK TO A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE NATURE ETC.

contd....2

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.319/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-02-2002 Petitioner by Shri Mahesh Pandey, Advocate. State / respondent Nos. 1 and 2 by Dr. N.K. Shukla, Addl. Advocate General with Shri Deep Kesharwani, Panel Lawyer. Learned counsel for the petitioner submitted that he is deleting respondent Nos.3 and 4. He is permitted to do so at his risk. He has deleted respondent Nos. 3 and 4. With the consent of the learned counsel for the petitioner and Addl. Advocate General appearing alongwith Shri Deep Kesharwani, Panel Lawyer, the petition is disposed of on merits. The petitioner has in this petition sought for quashing of the order Annexure P - 1 dated 05-02-2002. Against the order Annexure P - 2 the petitioner filed an appea before respondent No.1 and the respondent No. 1 granted stay of the order Annexure P - 2 by his order dated 22-11-2001. The grievance of the petitioner is that thereafter the respondent No.1 has passed the order Annexure P - 1	

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 319/ सन् 2002

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	on 05-02-2002 vacating the order of stay granted by him without hearing the petitioner. Reading of the order Annexure P - 1 does not show that the respondent No.1 heard the petitioner before vacating the stay order granted by him earlier on 22-11-2001. In the circumstances, the impugned order dated 05-02-2002 has been passed by the respondent No.1 in violation of the principles of natural justices and thereafter the same cannot be sustained. The petition is allowed. Annexure P - 1 is quashed. Respondent No.1 is directed to hear the petitioner and other parties and thereafter pass appropriate orders in accordance with law. The petition stands disposed of Sd/- Chief Justice	

[पीछे देखिये